

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*TJW*

Serial No. : 10/675,874  
Filed : **September 30, 2003**  
Applicant : Howard Bernstein, et al.  
Title : Sustained Release Pharmaceutical Formulation for Inhalation

TC/AU : 1616  
Examiner :

Docket No. : 17976-0006  
Customer No. : 29052

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

---

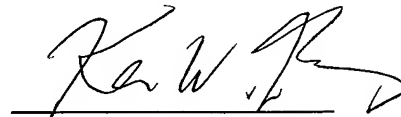
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The citation of information on the attached one page of Form PTO-1449, "List of Art Cited by Applicants" is made pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98.

The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

Respectfully submitted,

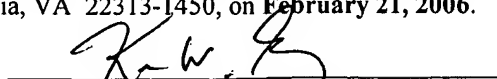


By: Kevin W. King  
Reg. No. 42,737

**February 21, 2006**  
SUTHERLAND ASBILL & BRENNAN LLP  
999 Peachtree Street, N.E.  
Atlanta, Georgia 30309-3996  
Telephone: (404) 853-8068  
Facsimile: (404) 853-8806

---

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **February 21, 2006**.



Kevin W. King



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/675,874
				Filing Date	September 30, 2003
				First Named Inventor	Howard Bernstein
				Art Unit	1616
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	17976-0006

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US 5,983,956	11-16-1999	Trofast	
		US 6,030,604	02-29-2000	Trofast	
		US 6,221,398	04-24-2001	Jakupovic et al.	
		US 6,287,540	09-11-2001	Trofast	
		US 6,926,908	08-09-2005	Robinson et al.	
		US 6,962,071	11-08-2005	Frinking et al.	
		US 6,998,107	02-14-2006	Unger	
		US 2002/0042404	04-11-2002	Bauer et al.	
		US 2003/0129245	07-11-2003	Trofast	
		US 2004/0022862	02-05-2004	Kipp et al.	
		US 2004/0266890	12-30-2004	Kipp et al.	
		US 2005/0079138	04-14-2005	Chickering, III et al.	
		US 2005/0175707	08-11-2005	Talton et al.	
		US 2005/0238586	10-27-2005	Sutton et al.	
		US 2005/0244332	11-03-2005	Radeke et al.	
		US 2005/0244338	11-03-2005	Schutt	
		US 2006/0013771	01-19-2006	Short	
		US 2006/0034772	02-16-2006	Unger	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Patent Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>2</sup> (if known)				
		WO 03/099112	12-04-2003	Point Biomedical Corporation		
Examiner Signature			Date Considered			

\*EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.